



# City of Highland

## Department of Community Development Building & Zoning Division

City of Highland  
Combined Planning and Zoning Board  
Minutes of the November 5, 2014 Meeting

Chairperson Korte called the meeting to order at 7:00 p.m. Members present were Gallatin, Harlan, Koehnemann, Lodes, Vance, and Korte. Also present were City Attorney Bruckert, Councilperson Bellm, Chief Building & Zoning Official Limestall, and Recording Secretary Walter. 26 citizens were present.

### Minutes

The minutes of the October 1, 2014 meeting were approved with one correction.

### Public Comment

Chairperson Korte opened the Public Comment section. Hearing no comments the Public Comment Section was closed. All attendees wishing to speak were sworn in.

### Public Hearing

Chairperson Korte opened the Public Hearing for a Text Amendment request by Daniel Petrich, 100 North Port Dr Highland IL. Petrich requests a text amendment to Table 3.1 of the Highland Municipal Zoning Code to allow manufacturing in a C2-Central Business District by Special Use Permit. Limestall explained that Mr. Petrich would like to manufacture craft beers at 721 Broadway however, manufacturing is currently not allowed in the C2 zoning district. All the appropriate paperwork has been filed with the State and Petrich will only distribute wholesale, no retail sales will be made. Petrich stated that his business will be a low-key operation with very minimal traffic every few weeks. Korte questioned the operation and amount of employees. Petrich said at this time only family will work there and he will brew the beer approximately 8 days per month. Harlan expressed concern about the by-product and if there would be any odor when the brewing occurred. Petrich stated that there would be about 4 cu.ft. of grain per batch which amounts to about 75 cu.ft per month. He will properly dispose of the by-product and there would be a very minimal odor from the brewing. All equipment is either inside the building or in a fenced in area and not visible from the street. Hearing nothing further Korte closed the Public Hearing. Limestall stated the City does recommend approving the Text Amendment but reminded the board that by granting this Text Amendment it would apply to anyone wishing to manufacture in the C2 zoning district. There would be no negative impact in the vicinity and it does fall within the Comprehensive Plan. Motion made by Harlan to allow manufacturing in the C2 zoning classification by Special Use Permit. Seconded by Vance. Roll call taken. All voted yes. Motion carried.

Chairperson Korte opened the Public Hearing for a Special Use Permit request by Daniel Petrich, 100 North Port Dr Highland IL. Petrich requests a Special Use Permit allow manufacture of craft beers at 721 Broadway Highland IL. Limestall explained that by granting a Special Use Permit it allows more control of manufacturing in the C2 zoning district. A text was received from Sharon/Homer Rusteberg stating they are concerned with the mess and oppose the Special Use Permit. Hearing nothing further Korte closed the Public Hearing. Motion made by Lodes to approve the Special Use Permit. Seconded by Harlan. Limestall stated the city recommends approval of the special use permit but does the board want annual renewal. Motion made by Lodes to amend the original motion to Perpetual Special Use. Seconded by Harlan. Roll call taken. All voted yes. Motion carried.

Chairperson Korte opened the Public Hearing for a Special Use Permit request by Gene Hebensteit, 903 N Old Route 66 Litchfield IL, to allow a Lounge-Bar at 801 Broadway Highland IL. Limestall explained Mr. Hebensteit would like to open a lounge-bar at 801 Broadway and under the current Zoning Code this requires a Special Use Permit. He will have 5 gaming machines and would like to have a quite relaxed atmosphere where generally women would be comfortable coming to. There would approximately 3-4 employees and he doesn't anticipate more than 3-5 cars at a time. There are 18 parking spaces available so parking will not be an issue. All City and Federal requirements are met, there should be no adverse impact on the vicinity, and it fits the Comprehensive Plan. Korte questioned how long Hebensteit plans on staying at that location. Hebensteit stated he is investing a minimum of \$25,000 in this endeavor and doesn't plan to leave after one year. Hearing nothing further Korte closed the Public Hearing. Motion made by Gallatin to approve the Special Use Permit. Seconded by Koehnmann. Limestall stated the city recommends approval of the special use permit but does the board want annual renewal. Korte opened the discussion. Lodes stated that she doesn't believe an annual renewal Special Use is fair to a business. In fact it may actually deter a business from coming to Highland. Harlan was concerned about parking. Lodes said she has looked at other businesses in the area with similar parking and it doesn't seem to be an issue. Korte asked what recourse neighbors would have if there were issues with the business. Attorney Bruckert advised that the City Council has the power to revoke a Special Use Permit for cause. Hearing nothing further Korte closed the discussion. Motion made by Gallatin to amend the original motion to a Perpetual Special Use permit. Seconded by Koehnmann. Roll call taken. All voted yes. Motion carried.

Chairperson Korte opened the Public Hearing for a Text Amendment request by the City of Highland regarding Single-Family Attached Dwelling (Villa) Lot and Building Requirements. Limestall explained the Zoning Code currently allows single-family attached dwellings however, with the situation in Autumn Crest Subdivision the properties would become non-conforming if this section was applied. The text amendment would have to address lot sizes, utilities, and easements. Harlan questioned if all the lots in Autumn Crest would conform. Limestall stated a survey will be required to verify conformity. A "group" variance was discussed with time limits and one fee for the entire group. Any property owner that does not apply within a certain timeframe would be on their own as far as variance costs.

Wm Twyford 180A Field Crossing Highland IL is concerned with the corner lot conformance requirements. The Board said they would take those into consideration when drafting the text amendment. Gallatin questioned how many of the lots have issues with the utilities crossing over the lots. The majority of the service lines are a single tap and then branch off

in to the separate units. Those attending the meeting received a copy of a proposed draft amendment.

Ron Clarkin 50B Jason's Point Highland stated that lending institutions have put a hold on financing this type of structure until the issue is cleared up.

Barb Heyen 35A Auburn Ct Highland asked if the City would help pay the cost of the conversion. Limestall stated the City is not responsible so each property owner must pay their own fees.

Carol Oldinski 190A Field Crossing Highland asked if the variance fee would cover the entire Autumn Crest subdivision. Korte responded that the one- time variance fee would cover everyone that applied within a set timeframe, possibly two years from the date of adoption by the City Council, but that still has to be worked out. Korte recommended tabling their decision until the December meeting so revision could be made to the draft.

Jane Duft, 12736 Buckeye Rd Highland, suggested using Autumn Crest as a "test project" and then apply subdivision by subdivision.

Carol Oldinski 190A Field Crossing Highland asked if the sunset date would apply to all subdivisions. Korte said the public would be notified but that people will have to do their due diligence to act on this.

Hearing nothing further Korte closed the Public Hearing. Motion made by Vance to table the issue until the December meeting. Seconded by Harlan. Roll call taken. All voted yes. Motion carried. There was no further discussion.

Adjournment at 8:45 pm.